

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDWARD R. HANSEN,

Defendant.

4:18CR3140

**MEMORANDUM
AND ORDER**

On March 30, 2020, following an evidentiary hearing, Magistrate Judge Cheryl R. Zwart made certain findings of fact and recommended that Defendant's motion to dismiss (Filing No. 84) be denied in its entirety. *See* Filing No. 105. Defendant filed a statement of objections to the Magistrate Judge's findings and recommendation on April 9, 2020. *See* Filing No. 106.

I have conducted a de novo review of the record pursuant to 28 U.S.C. § 636(b). I find that inasmuch as Judge Zwart has fully, carefully, and correctly found the facts and applied the law, the Magistrate Judge's findings and recommendation should be adopted, Defendant's statement of objections should be denied, and Defendant's motion to dismiss should be denied in its entirety.

Defendant's motion to dismiss includes an alternative request that the court enter an order "limiting the evidence and Counts on which the government may proceed." (Filing No. 84, p. 2.) The denial Defendant's motion to dismiss is made without prejudice to Defendant's ability to file a motion in limine regarding this evidentiary issue.

Accordingly,

IT IS ORDERED:

1. The Magistrate Judge's findings and recommendation (Filing No. 105) are adopted.
2. Defendant's statement of objections (Filing No. 106) is denied.
3. Defendant's motion to dismiss (Filing No. 84) is denied in its entirety.

Dated this 27th day of April, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge